

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Sandwich Isles Communications, Inc.

FCC Order 16-165 in File No: EB-IHD-15-00019603

FCC 16-167 in WC Docket 10-90

To: The Commission

MOTION FOR EXTENSION OF TIME

Pursuant to Section 1.46 of the Commission's rules, Venable LLP, on behalf of Sandwich Isles Communications Inc. ("SIC"), hereby requests an extension of time for the submission of responses to the following Ordering Clauses of the above listed Dockets

- (1) SIC's submission regarding the proposed forfeiture (Order 16-165 at para 86).¹ ("NAL")
- (2) SIC's submission regarding certain Commission authorizations (Order 16-165 at para 84 of the NAL)
- (3) SIC's submission regarding the 2005 waiver allowing Sandwich Isles to receive high-cost universal service support (FCC Order 16-167 at para 58).² ("FCC Order")

SIC's submissions are currently due on January 4, 2017 for item 1 and February 3, 2017 for items 2 and 3.³ However, items 2 and 3 further call for the Issuance of a Public Notice inviting certain named entities and the Public to comment on those items (which has not been

¹ In the Matter of Sandwich Isles Communications Inc., Notice of Apparent Liability for Forfeiture and Order, File No. EB-IHD-15-00019603 (FCC 16-165) (Dec. 5, 2016), at paragraph 86. ("NAL").

² See In the Matter of Sandwich Isles Communications Inc., FCC Order (WC Docket No. 10-90) (FCC 16-167) at paragraph 58.

³ Item 1 is due within 30 calendar days of the release date of the NAL (Dec. 5, 2016). Items 2 and 3, are due within 60 days of the release of the NAL and FCC Order (Dec. 5, 2016). The Commission's rules computing time indicated the first day to be counted when a period of time begins with an action taken by the Commission is the *day after the day* on which public notice of that action is given. See 47 C.F.R. 1.4.

issued to date). We request that the time for all three responses be extend to 60 days after the required Public Notice is issued by the Wireline Competition Bureau as specified in the Orders.⁴

This request is based on considerations of fundamental fairness to SIC and orderly procedure. The current deadline for responding to the NAL and paragraph 58 of the FCC Order fall immediately after the New Year and two long holiday weekends.⁵ The window for preparation of the responses encompasses both a long Christmas weekend and long New Year's weekend.⁶ The requested extension will ensure that SIC has sufficient time to evaluate and address the numerous and complex issues raised in the NAL and FCC Order. This, in turn, will contribute to the development of a complete and meaningful record in these proceedings.

Moreover, the requested extension will streamline the comment cycles in this proceeding and thereby facilitate an orderly, timely and fair resolution of the complex issues involved. The problem is that as currently framed, there are two different schedules applicable to different parties. SIC's comments are due 30 days after issuance of the Orders, but comments from other interested parties such as the Hawaiian Public Utility Commission are due 60 days after Public Notice issued by the WCB regarding these matters.⁷ Comments on the issues that are subject to Public Notice cannot as a practical or analytic matter be separated from the core issues relating to the USAC Cost Study and the related Forfeiture Order. SIC deserves a fair opportunity to submit its comments on these fundamental questions at the same time as other parties comments

⁴ NAL (FCC 16-165) at paragraph 84; FCC Order (FCC 16-167) paragraph 58.

⁵ Because December 25 falls on a Sunday, the following day, Monday, December 26, 2016, is treated as a federal government holiday. See <https://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/federalholidays/#url=2016>.

⁶ Because January 1 falls on a Sunday, the following day, Monday, January 2, 2017, is treated as a federal government holiday. See <https://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/federalholidays/#url=2017>.

⁷ Paragraph 84 of the NAL provides that the "Commission directs WCB to issue a Public Notice seeking comment from the Hawaii Commission, Department of the Hawaiian Home Lands, and other stakeholders on this matter."

are submitted; similarly reply pleadings should also be synchronized and submitted at the same time. Thus grant of the requested extension will serve the interests of justice and at the same time streamline the pleading cycle so that a clear and meaningful record is created. No party or interested person will be prejudiced by the modest extension.

Accordingly, we respectfully request that the time for submission of responses to paragraphs 84 and 86 of the NAL and Paragraph 58 of the FCC Order be extended to 60 days after the WCB's issuance of Public Notice as directed by such Orders.⁸

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "James Arden Barnett, Jr.", is written over a horizontal line. The signature is stylized with large, flowing loops.

James Arden Barnett, Jr., Esq.
Rear Admiral USN (Retired)

Ian D. Volner, Esq.
Christopher L. Boone, Esq.

Venable LLP
575 7th Street, NW
Washington, DC 20004
(202)-344-4000
Its Attorneys

December 16, 2016

⁸ NAL (FCC 16-165) at paragraph 84; FCC Order (FCC 16-167) at paragraph 58.